

Appln. No. 09/752,037  
Amendment dated April 20, 2004  
Reply to Office Action mailed January 20, 2004

Attorney's Docket No. 23-0461  
Client's Docket No. P1685US00

6/13  
S.M.C.  
7/8/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. 09/752,037  
First Named Applicant: FRANK LIEBENOW  
Filed: 12/29/2000  
For: COMMUNICATION DEVICE WITH PRIVACY MODE

TC/A.U.: 2642  
Examiner: Le, Karen

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
CENTRAL FAX CENTER

APR 20 2004

OFFICIAL

AMENDMENT

Sir:

Responsive to the Office Action mailed January 20, 2004, please  
amend the application as follows:

**Amendments to the Specification:** None.

**Amendments to the Claims** are reflected in the listing of claims which  
begins on page 2 of this paper

**Amendments to the Drawings:** None.

**Remarks/Arguments** begin on page 12 of this paper.

**LEONARD  
& PROEHL**

PATENTS TRADEMARKS COPYRIGHTS

3500 South First Avenue Circle - Suite 250  
Sioux Falls, South Dakota 57105-5802**RECEIVED  
CENTRAL FAX CENTER**

APR 20 2004

**OFFICIAL**Date: 4-20-04Fax Number: (703) 872-9306To Examiner: Le, Karen  
Group Art 2642From: Jeff Proehl Mark Ekse Robert K. Huck  
☒ Stephanie Voigt Cheryl Edblom OtherRE: Appln. No. 09/752,037 Filing Date: 12/29/00 Applicant: Liebenow  
Formal Response to Second OA  
mailed 1/20/04 + Fee transmittalTotal Number of Pages (Including cover sheet): 24 (Please call us as soon as possible if you do not receive all pages).**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to:

☒ FAX No. (703) 872-9306 or        FAX No. (703)         
on the 20 of April, 2004.

Signature

Printed Name

**PRIVILEGE AND CONFIDENTIALITY NOTICE**

The information contained in this fax message is privileged and confidential information intended only for the use of the individual or entity named below. If the reader of this fax message is not the intended recipient, or the employee agent responsible to deliver to the intended recipient, you are hereby on notice that you are in possession of the confidential and privileged information. Any dissemination, distribution or copying of this communication is strictly prohibited. You will immediately notify the sender by telephone of your inadvertent receipt. Return the original fax message to sender at the address herein given via the United States Postal Service.

Leonard &amp; Proehl, Prof. L.L.C.

3500 S. First Avenue Circle  
Suite 250  
Sioux Falls, SD 57105-5802

(605) 339-2028

Fax - (605) 336-1931

PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 72.00)

## Complete if Known

Application Number	09/752,037
Filing Date	12/29/2000
First Named Inventor	LIEBENOW, Frank
Examiner Name	LE, Karen
Art Unit	2642
Attorney Docket No.	P1685US00

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit  
Account  
Number  
Deposit  
Account  
Name

50-0439

Gateway, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** = 4	X 18	= 72
Multiple Dependent	-3** =	X	=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 72.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 65	Non-English specification	
1812 2,520	2812 1,260	For filing a request for ex parte reexamination	
1804 920*	2804 460*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 920*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	2451 755	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	2480 65	Petitions to the Commissioner	
1807 50	2807 25	Processing fee under 37 CFR 1.17(q)	
1808 180	2808 90	Submission of Information Disclosure Stmt	
8021 40	28021 20	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	2802 450	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

## SUBMITTED BY

Name (Print/Type) Jeffrey A. Proehl

Registration No.

35,987

(Complete if applicable)

Telephone 605 339-2028

Signature

Date

April 20, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.